

Friends of the Earth written summary of oral representations made at the ISH on 28th March 2017

We refer to the agenda for the day: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010021/TR010021-001503-ST%20Draft%20Agenda%20ISH%20any%20other%20outstanding%20issues%20including%20Environmental%20matters%2028%20March.pdf>

1. under 2.5 **Regarding SWQ TT2.8 Part 1** - in the context of Newham saying that some of their lowest income groups had low access to motor vehicles, I said that I thought that if the infrastructure was built, and it was known that low-income groups would be exempt from charges, then that could well encourage some people from those groups to purchase a vehicle and then to mode change. And this is particularly important as, as per my written summary of oral evidence given on 17th January, paragraph 3 – TfL do not include within generated trips actual new trips.

2. under 3.3 which refers to Her Majesty's Treasury's (HMT) Five Case Model under **SWQ TT2.6** – I stated that TfL have never considered a maximum package of non-road measures to address identified needs and problems, but rather just individual measures or some combination of one or more, but never a package comprising multiple new non-road crossings, charging for the existing Blackwall tunnel together with holding back traffic before it reaches Blackwall, plus road user charging for London, or whatever would be necessary.

I also stated that with the main regeneration zones facing each other across the river such schemes would serve needs well, and that indeed the only way to cater for expected population growth is to first of all reduce the need for people to have to travel and provide safe walking and cycling and affordable public transport – and that we cannot possibly build more roads to accommodate growth (indeed investing more in the alternatives would help free up space on the existing network and allow accommodation of some new essential vehicle journeys arising from growth).

3. at the end of section 5 on air quality I made some points

a. I first referred to previous reference to the Panel's concerns about impacts under a no bus strategy situation, and what Hackney had said under section 5.2 about how a small increase in traffic could maybe mean a big one in air pollution – and said that indeed a small increase in traffic can have a big impact on congestion and air quality, and conversely that a small decrease in traffic would have a big impact on reducing congestion and air pollution.

I emphasised that as TfL told us on 17th January (as per my written summary of my oral representations that day at paragraph 5) the existing Blackwall is not that far over capacity - ie it would not take much to 'throttle back' traffic before it got to Blackwall enough and relieve the problem. And I said that TfL had said that even if it were possible to throttle back traffic that wouldn't give the opportunity to increase busses as this scheme would – but that would make this scheme a very expensive congestion re-distribution and bus scheme (but with high risks of worsening air pollution).

b. I referred (I think in relation to 5.1, perhaps in relation to something Newham said) that the World Health Organisation have found health effects below the EU legal limit for NO₂ of 40, and that EU law also has a requirement to seek to maintain air quality when it is below legal limits.

c. I also asked a question, which I wondered if the Panel had got the answer to and were satisfied about (or whether this needed still to be put to TfL) about what I referred to in my written summary of my oral representations on 17th January, at paragraph 2, about places affected by the "release of queued traffic" north and south of the river. I am concerned whether all those places which would

experience worse traffic and congestion are captured in TfL's traffic and subsequent air quality modelling, and for future monitoring if the scheme were approved, and consider that TfL may need to confirm if that is indeed the case.

d. I referred to the various uncertainties referred to, and to the reference to a possible 25% increase in charges or a 10% decrease under difference scenarios – and how, even if these adjustments resulted in the same levels of traffic, lower charges could mean more traffic attributable to the scheme (and so more air pollution, thus changing what effects are screened out etc).

e. I emphasised that the government is having to re-model their air quality work on more realistic/less optimistic assumptions so air pollution will have to fall from worse levels than previously assumed, but will then have to be brought down quicker with stronger measures than previously proposed in the government's forthcoming Air Quality Plan.

I re-emphasised that it is not acceptable for TfL to say they would use the government's new modelling to re-model their work only just before the scheme would open, as there well could be situations under which the scheme should not have been approved. For instance if London has to have the ULEZ brought out to be London-wide that could completely affect the effects of the scheme tolling.

I also said that even if levels of air pollution were lower than currently assumed following re-modelling after the government's re-modelling, that does not necessarily help TfL's case. I referred to the fact that for the Heathrow Airport proposals, that it was under a low pollution scenario rather than the central of high ones that the situation of the scheme delaying compliance of the Zone was produced.

I also said that even on current figures there was a receptor with a 0.3 increase going to the 40 level and others with supposedly zero or small negative changes which could easily be turned into increases under re-modelling – meaning that there is a high risk of the scheme being illegal.

4. Following TfL's response to my points above I emphasised that it should indeed be illegal for any worsening (by a material or significant amount) of air pollution over legal limits, in any locality within a Zone ie irrespective of whether it delays compliance of the Zone, and that Client Earth 2's ruling on requiring exposure reduction as quickly as possible has made that only clearer. I said there was a difference between what should be done in theory and practice ie even if not every scheme producing such a result was challenged or refused it doesn't mean that schemes should not be refused.